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IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA

SECOND APPELLATE DISTRICT

DIVISION THREE

THE PEOPLE,

Plaintiff and Respondent,

v.

JULIUS GLOVER,

Defendant and Appellant.

B293208

(Los Angeles County  
Super. Ct. No.  
GA102881)

APPEAL from a judgment of the Superior Court of  
Los Angeles County, Jared D. Moses, Judge. Affirmed.

Lindsey M. Ball, under appointment by the Court of  
Appeal, and California Appellate Project for Defendant  
and Appellant.

No appearance for Plaintiff and Respondent.

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A jury found Julius Glover guilty of injuring a spouse and of multiple counts of assault with a deadly weapon. He appealed, and his appellate counsel filed a no merit brief. Glover then filed a supplemental brief raising ineffective assistance of counsel and prosecutorial and judicial misconduct. We reject his contentions.

### **BACKGROUND**

By 2018, Carolina G. and Glover had been married for 23 years and had two children, A.G. and I.G., both of whom were in high school. Carolina and Glover had not lived together since 2008 but were trying to reconcile. On the evening of February 10, 2018, Carolina and Glover fought, and he called her “bitch” and threatened to kill her. Afraid and knowing that Glover carried a knife, Carolina ordered him out of her car and went home by herself.

Early in the morning, Glover knocked on the door and Carolina opened it. As soon as she did, Glover started punching her. I.G. came to his mother’s aid and tried to restrain his father. At some point, Glover pulled out a knife and tried to stab Carolina but ended up scraping her shoulder. Seeing her father punching her mother, A.G. began to hit her father, who hit her back. Wielding a knife, Glover threatened to kill them. A.G. took the knife from Glover and stabbed him.

An information charged Glover with injuring a spouse or cohabitant (Pen. Code, § 273.5, subd. (a); count 1),<sup>1</sup> criminal threats (§ 422; count 2), and assault with a deadly weapon (§ 245, subd. (a)(1); counts 3, 4 & 5). The information also alleged that Glover had a prior conviction from 1992 within the meaning of

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<sup>1</sup> All further undesignated statutory references are to the Penal Code.

the Three Strikes law and a five-year prior (§ 667, subd. (a)). A jury found Glover guilty of all counts, except count 2, criminal threats. On October 11, 2018, at sentencing, the trial court denied Glover's *Romero*<sup>2</sup> motion and motion for a new trial. The trial court sentenced Glover to three years on count 1 doubled to six years based on the strike and to consecutive two-year terms on each of counts 3, 4, and 5. The trial court also imposed a five-year term, stating that even if the law were to change to give it discretion to strike that prior it would not do so. Glover's total sentence therefore was 17 years in prison. The trial court imposed a \$5,000 restitution fine (§ 1202.4, subd. (b)) and a parole revocation restitution fine in the same amount (§ 1202.45), a \$160 court operations assessment (§ 1465.8), and a \$120 court facilities assessment (Gov. Code, § 70373).

## DISCUSSION

After review of the record, Glover's court-appointed counsel filed an opening brief which raised no issues and which asked this court to conduct an independent review of the record, under *People v. Wende* (1979) 25 Cal.3d 436, 441. Glover submitted a supplemental brief raising ineffective assistance of trial counsel<sup>3</sup> and prosecutorial and judicial misconduct.

To establish ineffective assistance of counsel, a defendant must show that (1) counsel's representation fell below an objective standard of reasonableness under prevailing professional norms; and (2) counsel's deficient performance was prejudicial. (*Strickland v. Washington* (1984) 466 U.S. 668, 687,

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<sup>2</sup> *People v. Superior Court (Romero)* (1996) 13 Cal.4th 497.

<sup>3</sup> We note that Glover represented himself from April 11 to May 21, 2018. His standby counsel then substituted in.

694.) Glover contends his trial counsel provided ineffective assistance by failing to have evidence (e.g., the knife) analyzed, by recommending a private investigator, failing to get his prior conviction stricken, failing to impeach witnesses with their preliminary hearing testimony, failing to introduce evidence of his good character, and failing to impeach testimony regarding the extent of Carolina's injuries. However, analysis of the knife would not have helped Glover, given that all parties agreed that Glover and the victims touched it. Also, the record shows that trial counsel recommended three investigators to Glover, who was then representing himself. Trial counsel did file a *Romero* motion and otherwise consistently argued that Glover's prior conviction was not a strike. Finally, the manner of cross-examination is a matter within trial counsel's discretion. (*People v. Mai* (2013) 57 Cal.4th 986, 1018.) In short, the record shows that trial counsel's representation did not fall below prevailing professional norms.

Next, Glover contends that the prosecutor committed misconduct by not introducing evidence of Glover's good character, by being biased in favor of the victims, threatening his ex-wife, threatening to seek the maximum sentence if Glover did not accept a plea, and seeking an unfair venue for trial. None of these allegations are supported by the record.

Finally, Glover contends that the trial judge violated his due process rights by showing personal bias in denying his *Romero* motion, overruling all defense objections, accepting a jury not of Glover's peers, not striking the prior conviction, and imposing the five-year prior. Nothing in the judge's behavior or conduct denied Glover a fair trial. (See *People v. Snow* (2003) 30 Cal.4th 43, 78.)

We are satisfied that Glover's attorney has fully complied with the responsibilities of counsel and no arguable issue exists. (*People v. Kelly* (2006) 40 Cal.4th 106, 126; *People v. Wende*, *supra*, 25 Cal.3d at p. 441.)

**DISPOSITION**

The judgment is affirmed.  
NOT TO BE PUBLISHED.

DHANIDINA, J.

We concur:

EDMON, P. J.

LAVIN, J.